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SEP 04 2002

Office of the Director
Group 3600

Neil F. Maloney
FENWICK & WEST
Two Palo Alto Square
Palo Alto, CA 94306

In re application of :
John M. Mela :
Application No. 09/820,429 :
Filed: March 28, 2001 :
For: BOUNCEBACK DETECTION IN :
ONLINE PRODUCT CONFIGURATION :

DECISION ON REQUEST
FOR WITHDRAWAL OF
ATTORNEY

This is a decision on the request filed on February 26, 2002, under 37 CFR 1.36 and MPEP 402.06, requesting permission to withdraw as the attorney of record in the above-identified application.

The request is **NOT APPROVED**.

Under 37 CFR 1.36 an attorney may withdraw only upon application to and approval by the Commissioner. It should be noted that a withdrawal is effective when approved, not when filed. For approval of such a request the following conditions must be met:

- A) Each attorney of record must sign the notice of withdrawal, or the notice must contain a clear indication of one attorney signing on behalf of another, because the Office does not recognize law firms;
- B) There must be at least 30 days between approval of the withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a);
- C) A proper reason for the withdrawal as enumerated in 37 CFR 10.40(b) or subsection (1)-(6) of 37 CFR 10.40(c) must be provided;
- D) The applicant or patent owner must have been notified of the withdrawal as provided for in 37 CFR 1.36.

The request to withdraw as attorney is not accepted in the above-identified application because the request lacks conditions C) and D) above. There is no indication for the reason of withdrawal. Also there is no indication that the applicant or patent owner was notified of the withdrawal.

In summary, the request is **NOT APPROVED**.

A handwritten signature in cursive script, appearing to read "Steven N. Meyers for", is written over a horizontal line.

Steven N. Meyers, Special Programs Examiner
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SM/SM; 8/13/02